



PLANNING BOARD

Report to Town Meeting

Article 25. Zoning – Atkins Corner Rezoning (Planning Board)

To see if the Town will amend the Official Zoning Map by changing the zoning designation from Limited Business (B-L) to Village Center (B-VC) for parcels 25B-51, 25B-52, 25B-58, 25B-R1, 25B-R2 and portions of adjacent public ways in Atkins Corner village center.

Recommendation

The Planning Board voted unanimously, 7-0-0, with 2 members absent, to recommend that Town Meeting adopt Article 25.

Background

Article 25 proposes to rezone the three properties in the 30+ year old Limited Business (B-L) ‘core’ of the Atkins Corner village center, including the Atkins Farm Market and two Hampshire College properties to the west and south, to Village Center Business (B-VC). Other adjacent properties which are functionally and logically part of this village center remain under consideration for future rezoning, but only the core properties are being proposed for rezoning at this Town Meeting.

Also included in the rezoning to B-VC are two small properties created by the relocation of roadways during the intersection project—the east end of the Atkins Farm Market parking lot and a sliver of former Bay Road right of way south of the Ives house. Also being rezoned were adjacent portions of the public way—all of it Town roads—including the intersection of Rambling Road and West Bay Road. The purpose of rezoning these areas is to ensure that when pedestrian and streetscape improvements occur in these areas, they are designed to function as part of a village center.

The Limited Business (B-L) zoning in place has existed since December 1970 when it was developed in response to the community’s intent to create a village center in association with Hampshire College and the pending development of the residential Hampshire Village PURD. However, Limited Business (B-L) is an early zoning district that was not specifically designed to help create or sustain a mixed-use village center. In practice, what it produces is highway corridor

development of the kind visible along University Drive and the north side of Triangle Street in downtown Amherst.

In 2002 and again in 2011, the community developed a vision of Atkins Corners as a mixed-use village center that could meet the needs of nearby residents, Atkins Farm Market, Hampshire College, and future residents and businesses. That vision needs new zoning to help bring about the village center the community intends.

Article 25 is the Planning Board's first article since the spring of 2012 to propose changes to village center zoning district boundaries. Since then, in addition to dealing with the community's housing crisis, the Planning Board has pursued village center zoning changes in an incremental fashion, developing and bringing forward amendments to village center zoning use and dimensional requirements in smaller pieces whose impacts are easier to describe and understand.

Again, Article 25 proposes changes only to the zoning for the 'core' of Atkins Corners village center. Other amendments may follow in the future, to make better sense of the village center as a whole. For now, however, changes are limited to the existing business-zoned core of the village.

History

Amherst has been planning for Atkins Corners village center for a very long time. Community planning exercises which have identified Atkins Corners as a new village center and planned for its development include the following:

1969	Amherst Master Plan (Downe)
1973	Select Committee on Goals (SCOG) report
2000-2002	Atkins Corner Plan (Dodson Associates)
2010	Amherst Master Plan
2011	Atkins Corners Concept Plan (The Cecil Group)
2011-2012	Amherst Planning Board rezoning proposals

All of these community planning exercises have included the consistent theme of preserving Amherst's traditional New England settlement pattern by:

Preferentially directing new development and redevelopment into existing and planned new village centers, adjacent built neighborhoods, and specific designated areas.

Preserving critical open lands between centers (farmland, conservation land, watershed/aquifer, etc.), and

Providing high quality infrastructure with efficient transportation between centers connecting the community internally and with the region.

Amherst has been working to implement this basic concept for at least 45 years, and Atkins Corners

has been identified and planned as a village center during that entire period. Article 25 is a modest step toward implementing these long-standing community intentions.

Limited Business (B-L) vs. Village Center Business (B-VC)

Article 25 proposes changing the zoning in this area from B-L to B-VC because of the fundamental differences between the two which make B-VC more appropriate for regulating village centers.

Differences in Use Regulations

The two districts are similar but not identical in terms of the range of uses they allow. Here are their differences:

- Congregate Housing - The B-L District prohibits them; the B-VC District allows them under a Special Permit.
- Taxi & Limousine Services - The B-L District requires a Special Permit for them; the B-VC Districts allows them under Site Plan Review approval.
- Veterinary Offices & Kennels - The B-L District allows them under a Special Permit; the B-VC District prohibits them.
- Research/Testing Facilities and Light Manufacturing, Assembly, and Processing - The B-L District allows these uses under a Special Permit or a Site Plan Review (depending on the location); the B-VC District allows them only under a Special Permit.
- Motor Vehicle-Related Uses - The biggest differences in use regulations. The B-L District allows several such uses under a Special Permit—auto/truck rental, vehicle sales, and auto parts stores that do installation and repairs; the B-VC District prohibits them.

Differences in Dimensional Regulations

This is where the real difference becomes apparent. The B-L District dimensions are those of a highway corridor commercial area. Buildings are allowed to be set far back from the road with parking in front. The B-VC District dimensions are those of a village center. Buildings are more densely packed, and are connected by pedestrian corridors and spaces.

- Additional Lot Area/Unit. The B-L District requires an additional lot area for each and every residential unit beyond the first unit. The B-VC District does not. It is very difficult to create the kinds of residential density needed in a village center if every single unit has to be accompanied by a specific increment of lot area. Neither the B-G (downtown), B-VC (North Amherst, East Village, Pomeroy Village), or B-N (Amherst Depot area) districts include such a requirement.

- **Lot Frontage.** The B-L District requires a minimum lot frontage of 125 feet. The B-VC requires only 60 feet, and only for a few infrequently-used residential uses (subdividable dwellings and converted dwellings). As a result, more buildings can be built closer together, as in any village center.
- **Minimum/Maximum Front Setbacks.** The B-L District requires a minimum front setback of 20 feet, and does not control how much further back a building can be located. The B-VC District requires a 10 foot minimum setback from the front property line, and sets a maximum front setback of 20 feet. This keeps buildings close to the sidewalk and allows the creation of a “pedestrian street” for sidewalks, outdoor dining, public open space, etc. The frontage requirement can be modified under a Special Permit in both districts.
- **Side & Rear Yards.** The B-L District requires buildings to be located a minimum of 25 feet from the side or rear property line, leaving a building stuck out in the middle of a property. The B-VC District requires only a 10 foot setback—this allows buildings to be closer together while leaving room for pedestrian corridors between.
- **Building Coverage.** The maximum amount of lot area which can be covered by buildings is the same in the B-L and B-VC Districts—35%. But in the B-VC District, this maximum can be modified under a Special Permit to allow bigger buildings where that makes sense.
- **Lot Coverage.** The maximum amount of lot area that can be covered by buildings and paved surfaces is the same in both the B-L and B-VC Districts—70%.
- **Maximum Floors.** The maximum number of floors is also the same in the B-L and B-VC Districts—3 floors—and can be modified under a Special Permit in both districts.
- **Minimum/Maximum Height.** The maximum height of a building in the B-L District is 35 feet, with no minimum height for single story buildings. Thirty-five (35) feet is barely enough for three modern floors, and encourages flat roofs and rooftop HVAC equipment.

The maximum height of a building in the B-VC District is 40 feet, allowing for a climate-appropriate sloped roof and enough room for both habitable space on floors and ceiling chases for utilities, HVAC, etc. The B-VC District also sets a minimum height of 16 feet for single story buildings, to keep them from being too short and out-of-scale with other multi-story buildings in a village center.

Public Hearing

The Planning Board held a public hearing on Article 25 on March 19, during which it was noted that two public forums and a walking tour had been held in the Atkins Corner area as this article was being prepared. Attendees at those events and the Planning Board public hearing expressed varying

levels of comfort with the proposed rezoning, but were generally supportive of the change and appreciative of the opportunity for education and feedback.

Those who commented on the zoning itself approved of the limited scope of this version of the Atkins Corner rezoning effort and were most curious about the decision to include the entire public way adjacent to the 'core', especially the small area south of the Ives house. It was noted that extending a zoning district to include all of a right-of-way (instead of just to the center line) is a common practice and was being proposed in this case because pedestrian and streetscape considerations are important functional elements of a village center. The area south of the Ives house, for instance, was formerly part of the Bay Road right-of-way before the roundabouts were constructed.

Most public concern centered on ensuring pedestrian access between the Hampshire Village residential neighborhood and Atkins Farm Market, as well as pedestrian safety at future crosswalks. It was reported that the development of properties lacking such infrastructure would necessarily include appropriate pedestrian accommodations as part of the permit process. Both the Town and property owners affected by the rezoning have expressed a commitment to safe access for all users throughout the area; the timing of and financial responsibility for necessary improvements will continue to be discussed whether or not any rezoning takes place.

After further discussion, the Planning Board voted 7-0-0, with 2 members absent, to recommend that Town Meeting adopt Article 25.

Figure 1 - Atkins Corner
Rezoning



- Property Map**
- Property Line
 - Hydrographic Property Line
 - Right of Way Line
 - Town Boundary
 - Lot Lines
 - Former Property Line
 - Subdivision Lot Line
 - Easements
 - Surrounding Community Parcels
 - Basemap 2009
 - Trails
 - Rail Lines
 - Structures
 - Building
 - Foundation or in construction
 - Deck, Porch, Stairs or Overhang
 - Mobile Home, Trailer
 - Swimming Pool
 - Building Ruins
 - Water storage tank
 - Rivers and Streams
 - Streams
 - Major Culverts
 - Hydro Connector
 - Headwalls, Floodwalls
 - Landcover
 - Brush and scrub vegetation area
 - Tree and forest vegetation area
 - Cultivated field
 - Grass
 - Quarry pile
 - Misc Impervious Surface
 - Sidewalks

Horizontal Datum: MA Stateplane Coordinate System,
Zone 4151, Datum NAD83, Feet
Vertical Datum: NAVD83, Feet

Planimetric & topographic basemap features compiled
at 1"=40' scale from April, 2009 Aerial Photography.
Parcels compiled to match the basemap;
revisions are ongoing.

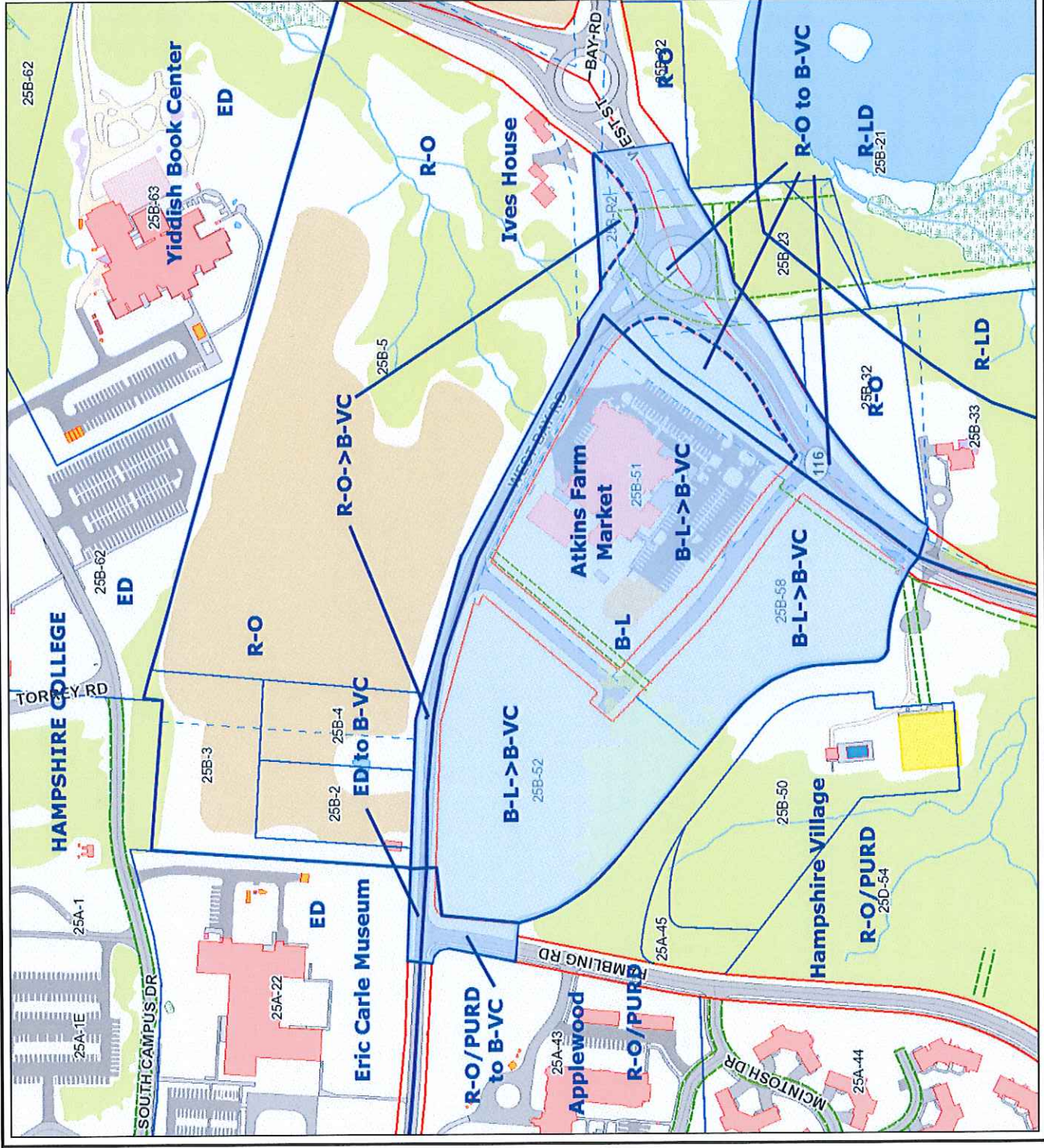
The information depicted on this map is for planning
purposes only. It may not be adequate for legal boundary
determination, nor should it be used for any other purpose.
Utility structures and underground utility
locations are approximate and require field verification.

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1" = 275 ft

amherstma.gov/maps March 28, 2014



Atkins Corners Rezoning



- Property Map**
 □ Surrounding Community Parcels
- Zoning Map**
 FPC Stream Setbacks
 50' Setback
 50' Setback
 □ Zone Overlay
 □ Design Review Board Jurisdiction
 □ Municipal Parking District
- Zoning**
 R-LD: Low Density Residence
 R-F: Fraternity Residence
 R-O: Outlying Residence
 R-N: Neighborhood Residence
 R-VC: Village Center Residence
 R-G: General Residence
 B-VC: Village Center Business
 B-L: Limited Business
 B-C: Neighborhood Business
 B-S: General Business
 OP: Office Park
 COM: Commercial
 PRP: Professional & Research Park
 LI: Light Industrial
 ED: Educational
 FPC: Flood-Prone Conservancy

Horizontal Datum: MA Stateplane Coordinate System,
 Zone 4151, Datum: NAD83, Feet
 Vertical Datum: NAVD83, Feet

Planimetric & topographic basemap features compiled
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1" = 650 ft

amherstma.gov/maps February 26, 2014

